



State of Ohio Environmental Protection Agency

## Northwest District Office

347 North Dunbridge Road  
Bowling Green, Ohio 43402  
(419) 352-8461 FAX (419) 352-8468George V. Volnovich  
GovernorRE: Allen County  
Orbitron Industries  
Hazardous Waste Complaint  
Notice of Violation

July 5, 1994

CERTIFIED MAIL, RETURN RECEIPT REQUESTEDMr. Tom Cooper  
Orbitron Industries  
4101 Edison Lakes Parkway  
Suite 160  
Mishawaka, Indiana 46565

Dear Mr. Walker:

On June 3, 1994, the Ohio Environmental Protection Agency (Ohio EPA) inspected the Orbitron Industries (Orbitron) facility in Delphos, Ohio in response to a citizen complaint concerning the management of hazardous wastes at Orbitron. Orbitron was represented by you during the inspection. Ohio EPA was represented by the writer. Also present were Delphos Fire Chief Wayne Suever and Frank Caprilla of Yocum Realty.

This inspection included a tour of the facility and a request to you to submit records regarding sampling of waste containers at the facility. Based on this inspection, Ohio EPA has determined that Orbitron has violated the following state hazardous waste regulation:

- (1) Waste Analysis, Ohio Administrative Code (OAC) rule 3745-52-11: Any person who produces a waste in the state of Ohio shall evaluate the waste to determine if it is hazardous in accordance with OAC Chapter 3745-51.

Orbitron has approximately forty (40) fifty-five gallon drums located in a storage area outside, two of which are labelled "Used MEK" and three of which are currently open. There are also approximately forty (40) fifty-five gallon drums located inside the main building of the facility. In addition, there are approximately forty fifty-five gallon drums located on the loading dock and approximately another eight fifty-five gallon drums in the Oil House, one of which is labelled "used solvent". Orbitron was unable to provide information on the contents of these containers.

Orbitron is immediately required to analyze the contents of the above listed containers for the following parameters: waste characteristics, volatile organic compounds, semi-volatile compounds, PCBs, and metals. The results of this analysis is to be submitted to the Northwest District Office of the Ohio EPA as soon as it is available.



Mr. Troy Walker  
June 24, 1994  
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Orbitron must also submit documentation to the Northwest District Office of the Ohio EPA detailing the following information concerning their Delphos facility: amount of hazardous waste generated per month and how the hazardous waste generated is managed and disposed of.

Orbitron must also take steps immediately to mitigate the threat to human health and the environment posed by the three open drums in the outdoor container storage area.

Please respond, in writing, to this Notice of Violation within ten days. Further, please provide a response to the violation noted in this letter in accordance with the instructions accompanying the violation. Your response must include all actions and timetables necessary to demonstrate compliance. Should you have any questions, please feel free to call me at this office.

Please be advised that failure to comply with applicable hazardous waste rules may be cause for enforcement action by this Agency pursuant to Chapter 3734 of the Ohio Revised Code.

Failure to list specific deficiencies in this communication does not relieve Orbitron from the responsibility of complying with applicable hazardous waste regulations. This letter does not relieve Orbitron from liability for any past or present violations of the state's hazardous waste laws.

Yours truly,

James M. Ottarson  
Division of Hazardous Waste Management

pc: Laurie Stevenson, DHWM, CO  
Cindy Lohrbach, DHWM, NWDO  
A & C Representative  
Wayne Suever, Fire Chief, City of Delphos  
NWDO File